

REMARKS

Favorable reconsideration and allowance of this application are requested.

At the outset, applicants note with appreciation the Examiner's indication of allowable subject matter being defined by claim 7. As will become clear from the following discussion, however, all claims pending in this application are believed to be allowable over the art of record.

I. Discussion of Claim Amendments

By way of the amendment instructions above, the various pending claims have been amended in an effort to address the Examiner's criticisms advanced under 35 USC §112, second paragraph. Thus, phraseology consistent with US practice has been employed, such as use of the preamble expressions "comprising" and use of transitional phrases such as "wherein". In addition, affirmative language in the active tense has been employed consistent with that used for US method claims.

The preference expressed in original claim 8 has been deleted therefrom and now appears in new claim 9. Thus, by the doctrine of claim differentiation, it is now clear that claim 8 covers both continuous and discontinuous (e.g., batch) processes for making melamine.

The scope of the originally pending claims has therefore not been affected by the informalities addressed by the amendment above.

Claims 1-9 remain pending in this application for which favorable reconsideration and allowance are requested.

II. Response to 35 USC §103(a) Issue

Prior claims 1-6 and 8 attracted a rejection under 35 USC §103(a) as allegedly being unpatentable over USP 3,637,686 to Kokubo et al. Applicant respectfully disagrees.

Specifically, according to the applicant's understanding the Examiner's interpretation of Kokubo et al is in error. In this regard, it will be recalled that a mandatory requirement of the present applicant's invention as defined by pending claim 1 is that the process is conducted in a way that **at least 50 weight percent** of the sprayed melamine melt is **directly** formed into suspended melamine particles thereby forming a suspension of melamine particles in the cooling medium.

In contrast to the present invention, Kokubo et al discloses a two-stage process whereby in the first stage a melamine spray is contacted with atomized ammonia to solidify the melamine. Significantly, at the first stage of Kokubo et al **there is no cooling liquid present**. Thus, no **suspension** of melamine **in the cooling liquid** is formed in the first stage of Kokubo et al.

In the second stage of Kokubo et al, the solidified melamine is cooled by means of an aqueous solution containing ammonia. The melamine thus solidified is dissolved in the aqueous solution containing ammonia in the concentration of 5-60% by weight (column 2, lines 5-15 of Kokubo et al). Consequently, the only "layer" of a liquid cooling medium that is present according to the process in Kokubo et al is the layer of the aqueous solution containing ammonia in which the solidified melamine is dissolved. As such, therefore, according to the Kokubo et al process no suspension of melamine particles in the cooling liquid is obtained.

On the contrary, it is essential to the process described in Kokubo et al that melamine is **dissolved** in the aqueous ammonia solution in order to treat the melamine **in a dissolved state** at a temperature between 100 and 200°C In order to reduce the

TJIOE
Serial No. 10/541,796
July 17, 2007

amount of impurities. Consequently, Kokubo et al cannot reasonably suggest a process wherein at least 50 % of the sprayed melamine melt **directly** turns into suspended melamine particles. This is clearly not desired at all according to the teaching of the Kokubo et al since it is essential to achieve complete **dissolution** for the subsequent heat treatment. Thus, Kokubo et al teaches directly away from the present invention.

Withdrawal of the rejection advanced under 35 USC §103(a) based on Kokubo et al is therefore in order.

III. Conclusion

Every effort has been made to advance prosecution of this application to allowance. Therefore, in view of the amendments and remarks above, applicant suggests that all claims are in condition for allowance and Official Notice of the same is solicited.

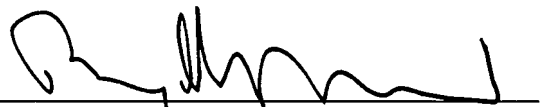
Should any small matters remain outstanding, the Examiner is encouraged to telephone the Applicants' undersigned attorney so that the same may be resolved without the need for an additional written action and reply.

An early and favorable reply on the merits is awaited.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



Bryan H. Davidson
Reg. No. 30,251

BHD:bef
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100